

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ULTRAVISION TECHNOLOGIES, LLC,

Plaintiff,

v.

LEDMAN OPTOELECTRONIC CO., LTD.,

Defendant.

Case No 2:18-cv-00101-JRG-RSP

JURY TRIAL DEMANDED

ULTRAVISION TECHNOLOGIES, LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG DISPLAY CO., LTD.,

Defendants.

Case No. 2:19-cv-00252-JRG-RSP
(Lead Case)

JURY TRIAL DEMANDED

ULTRAVISION TECHNOLOGIES, LLC,

Plaintiff,

v.

BARCO NV,

Defendant.

Case No. 2:19-cv-00253-JRG-RSP
(Consolidated Case)

JURY TRIAL DEMANDED

JOINT P.R. 4-3 CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to Patent Rule 4-3, plaintiff Ultravision Technologies, LLC (“Ultravision”) and defendants Ledman Optoelectronic Co., Ltd. (“Ledman”) in Case No. 2:18-cv-101 (“the *Ledman* case”) and defendants Samsung Electronics Co., Ltd. (“Samsung”) and Barco NV (“Barco”) in Lead Case No. 2:19-cv-252 (“the *Samsung/Barco* case”) (Ledman, Samsung, and Barco are

collectively referred to as “Defendants”) provide this Joint Claim Construction and Prehearing Statement regarding the asserted claims of U.S. Patent Nos. 9,047,791 to Cox et al.; U.S. Patent No. 9,642,272 to Hall; U.S. Patent No. 9,666,105 to Cox et al.; U.S. Patent No. 9,916,782 to Hall; U.S. Patent No. 9,978,294 to Hall; U.S. Patent No. 9,984,603 to Hall; U.S. Patent No. 9,990,869 to Hall; U.S. Patent No. 10,248,372 to Hall.¹ In accordance with Patent Rule 4-2(c), the parties met and conferred for the purposes of narrowing the issues and finalizing preparation of this Joint Claim Construction Chart.

I. P.R. 4-3(a)(1) Agreed Constructions

The parties have met and conferred in an attempt to narrow the issues before the Court and have identified certain terms for which they agree. They are attached as Exhibit A.

II. P.R. 4-3(a)(2) Disputed Terms

Ultravision’s proposed constructions and identification of intrinsic and extrinsic evidence is attached hereto as Exhibit B. Defendants’ proposed constructions and identification of intrinsic and extrinsic evidence is attached hereto as Exhibit C. Each party also reserves the right to cite to intrinsic and/or extrinsic evidence cited by the other party.

¹ A Joint P.R. 4-3 Claim Construction and Prehearing Statement was previously provided by Ultravision and defendants Absen, Inc. and Shenzhen Absen Optoelectronic Co., Ltd. (collectively, “Absen”), Yaham Optoelectronics Co., Ltd. (“Yaham”), and Prismaflex International France, S.A. (“Prismaflex”) in Lead Case No. 2:18-cv-100 (“the *GoVision* case”), Dkt. No. 215. One additional patent not-addressed herein has been asserted with respect to Samsung: U.S. Patent No. 8,870,410. Samsung and Ultravision agree that this patent would most conveniently be addressed in conjunction with the claim construction proceedings in *Ultravision Technologies, LLC v. Holophane Europe Limited*, Case No. 2:19-cv-291 (E.D. Tex.), which involved the same patent and other patents related to it. Samsung and Ultravision intend to raise this with the Court via motion following entry of the Court’s order on the pending Joint Motion for Entry of an Opposed Amended Docket Control Order (Dkt. 246) in *Ultravision Technologies, LLC v. GoVision, LLC*, Case No. 2:18-cv-100 (E.D. Tex.), which relates to the joinder of the claim construction proceedings in this case with those of the *GoVision* case.

III. P.R. 4-3(a)(3) Anticipated Length of Time for the Claim Construction Hearing

Ultravision's Position

Ultravision contends that four hours will provide sufficient time to conduct the claim construction hearing. Defendants have identified an unnecessary number of claim terms for construction, which is the reason why there are about 32 groups of disputed terms. Rather than expend the parties' and the Court's time and resources addressing each of these terms, Ultravision proposes that the number of terms that need to be addressed, at least at the claim construction hearing, should be limited. Additionally, while the disputed terms are contained within 9 patents-in-suit, such patents are contained within only 2 patent-families, and the patents within each family have substantially the same disclosure.

Defendants' Position

Ledman, Samsung, and Barco expect that 5 hours will be needed to conduct the claim-construction hearing, which will concern about 32 disputed groups of terms across 8 patents (in two families), and will involve 6 groups of defendants (Ledman, Samsung, Barco, Absen, Yaham, Prismaflex). Ultravision disputes the need for more than 4 hours by contending that defendants have identified an excessive number of terms for construction, but four groups of terms per patent is reasonable, particularly given the variations in products across the various defendants, which raise different claim construction issues for different parties.

IV. P.R. 4-3(a)(4) Anticipated Witnesses at the Claim Construction Hearing

At the present time, no party proposes to call witnesses for live testimony at the claim construction hearing.

V. P.R. 4-3(a)(5) Other Issues to be Addressed at the Claim Construction Hearing

The parties are not presently aware of any issues which might be taken up at a prehearing conference prior to the Claim Construction Hearing.

VI. P.R. 4-3(b) Service of Expert Testimony

In accordance with Patent Rule 4-3(b), the parties will each serve a disclosure of expert testimony simultaneous with this filing consistent with Fed. R. Civ. P. 26(a)(2)(B)(i)–(ii) or 26(a)(2)(C) for any expert on which it intends to rely to support its proposed claim construction or indefiniteness position or to oppose any other party’s proposed claim construction or indefiniteness position.

Dated: May 13, 2020

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 13, 2020, a true and correct copy of the above and foregoing document has been served by email on all counsel of record.

/s/ Alfred R. Fabricant

Alfred R. Fabricant